

317A.010 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

- (1) "Beauty salon" means any establishment in which the practice of cosmetology is conducted for the general public or for consideration;
 - (2) "Board" means the Kentucky Board of Cosmetology;
 - (3)
 - (a) "Blow drying services" means beautifying, cleaning, or arranging the hair of an individual for consideration only at a limited beauty salon.
 - (b) "Blow drying services" include any of the following services performed on an individual's hair:
 1. Arranging;
 2. Cleaning;
 3. Curling;
 4. Dressing;
 5. Blow drying; and
 6. Performing any other similar procedure.
 - (c) "Blow drying services" do not include any service:
 1. Popularly known as a Brazilian blowout;
 2. That includes color services or that includes cutting, lightening, or chemically treating hair; or
 3. That otherwise falls under the practice of cosmetology, except as authorized in paragraph (b) of this subsection;
 - (4) "Cosmetologist" means a person who engages in the practice of cosmetology for the public generally or for consideration, regardless of the name under which the practice is conducted;
 - (5) "Cosmetology" means the practice upon the human neck and head of cutting hair, permanent waving, or hairdressing, and may also include but is not limited to:
 - (a) Nail technology and finger waving;
 - (b) Giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or any contrivance;
 - (c) Shaping, designing, shampooing, pressing, arranging, tinting, or lightening the hair, or applying hair products;
 - (d) Applying to the neck or head, cosmetics, lotions, powders, oils, clays, or other products;
 - (e) Facial hair removal; and
 - (f) Eyebrow shaping, design, or removal.
- The practice of cosmetology does not include acts performed incident to treatment of an illness or a disease;
- (6) "Cosmetology school" or "school of cosmetology" means any operation, place, or establishment in or through which persons are trained or taught the practice of cosmetology, esthetic practices, and nail technology;

- (7) "Esthetician" means a person who is licensed by the board to engage in esthetic practices in the Commonwealth of Kentucky;
- (8) (a) "Esthetic practices" means one (1) or more of the following acts:
1. Giving facials, including consultation and skin analysis;
 2. Giving skin care;
 3. Removing facial hair;
 4. Beautifying or cleaning the body with the use of cosmetic preparations, antiseptics, tonics, lotions, creams; or
 5. Providing preoperative and postoperative esthetic skin care, either referred by or supervised by a medical professional;
- (b) Except when these acts are performed incident to:
1. Treatment of an illness or a disease;
 2. Work as a student in a board-approved school;
 3. Work without compensation from the person receiving the service; or
 4. Work performed by a licensed massage therapist;
- (9) "Esthetic practices school" or "school of esthetic practices" means any operation, place, or establishment in or through which persons are trained in esthetic practices;
- (10) "Esthetic salon" means a place where an esthetician performs esthetic practices;
- (11) "Eyelash artistry" means the process of attaching semipermanent lashes or eyelash extensions to natural eyelashes;
- (12) "Limited beauty salon" means any establishment in which the practice of blow drying services only is conducted for the general public or for consideration;
- (13) (a) "Makeup artistry" means applying cosmetic products to the face and body.
- (b) "Makeup artistry" includes:
1. Corrective and camouflage techniques; and
 2. Airbrushing.
- (c) "Makeup artistry" does not include:
1. Face painting at carnivals or fairs; or
 2. Application of cosmetics when not done for consideration;
- (14) "Nail salon" means any establishment in which the practice of nail technology only is conducted for the general public or for consideration;
- (15) "Nail technician" means a person who practices nail technology for the general public or for consideration;
- (16) "Nail technology" means the practice of cutting, trimming, polishing, coloring, cleansing, applying artificial nails, or massaging, cleaning, treating, or beautifying the hands and feet of any human, for which a license is required by this chapter;
- (17) "Nail technology school" or "school of nail technology" means any operation, place, or establishment in or through which persons are trained in nail technology;
- (18) (a) "Natural hair braiding" means a service of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices.

Natural hair braiding is commonly known as "African-style hair braiding" but is not limited to any particular cultural, ethnic, racial, or religious forms of hair styles.

- (b) "Natural hair braiding" includes:
 - 1. The use of natural or synthetic hair extensions, natural or synthetic hair and fibers, decorative beads, and other hair accessories;
 - 2. Minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair;
 - 3. The use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos; and
 - 4. The making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions.
 - (c) "Natural hair braiding" does not include:
 - 1. The application of dyes, reactive chemicals, or other preparation to alter the color of the hair or to straighten, curl, or alter the structure of the hair; or
 - 2. The use of chemical hair joining agents such as synthetic tape, keratin bonds, or fusion bonds.
 - (d) For the purposes of this subsection, "mechanical devices" means clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, thread, and hair binders; and
- (19) "Threading" means the process of removing hair from below the eyebrow by use of a thread woven through the hair to be removed.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 35, sec. 1, effective July 14, 2018; and ch. 46, sec. 12, effective March 30, 2018. -- Amended 2016 Ky. Acts ch. 48, sec. 1, effective July 15, 2016. -- Amended 2012 Ky. Acts ch. 152, sec. 1, effective July 12, 2012. -- Amended 1996 Ky. Acts ch. 82, sec. 1, effective July 15, 1996. -- Created 1974 Ky. Acts ch. 354, sec. 1.

Legislative Research Commission Note (7/14/2018). This statute was amended by 2018 Ky. Acts chs. 35 and 46, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (7/15/2016). During codification, the Reviser of Statutes has changed the internal numbering of paragraphs in subsection (9) of this statute from the way it appeared in 2016 Ky. Acts ch. 48, sec. 1.